

REMARKS

Claims 76-133 are pending. Claims 1-75 were cancelled in previous preliminary amendments. Claims 76-77, 81-86, 88, 90-95, 97, 106, 113-126, 128, 130 and 132 are amended; claims 78-80 and 87 are now cancelled; claims 134-148 are newly presented. No new matter has been added.

Double Patenting Rejections

Claim 113 has been rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 1 of prior U.S. Patent No. 6,241,753. In view of the current claims this rejection is respectfully traversed.

Judicially-Created Doctrine of Obviousness-Type Double Patenting Rejections

Claim 119 has been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 5,948,011.

Claim 120 has been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,381,498.

Claims 125 and 126 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,381,753.

Terminal disclaimers are submitted to dispose of these rejections.

Rejections under 35 U.S.C. § 102

Claims 76, 83, 85 and 91-92 have been rejected under §102(b) as anticipated by Vaguine et al. (U.S. Patent No. 4,556,070). In view of the current claims this rejection is respectfully traversed.

Rejections under 35 U.S.C. §103

Claims 77, 82 and 86 stand rejected under §103(a) as obvious over Vaguine et al. and Brucker et al. (U.S. patent No. 5,500,012). In view of the current claims this rejection is respectfully traversed.

Allowable Subject Matter

Applicants thank the examiner for the indication that claims 87-90, 95-112, 114-118, 121-124 and 127-133 are allowed, and that claims 78-81, 84, 93 and 94 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CONCLUSION

It is submitted that the present application is in form for allowance, and such action is respectfully requested.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 08-1641 (Docket No. 39238-0760). Respectfully submitted,

HELLER EHRMAN WHITE & McAULIFFE

Date:

8.1.23



Paul Davis, Reg. No. 29,294

275 Middlefield Road
Menlo Park, CA 94025
(650) 324-7000
Customer No. 25213